

### **REMARKS**

In the Office Action<sup>1</sup> ("OA") mailed January 27, 2006, the Examiner objected to the drawings. Specifically, the Examiner stated that Figs. 1 and 2 "should be designated by a legend such as --Prior Art-- because only that which is old is illustrated" (OA at page 2, lines 7-14). Accordingly, Applicants correct Figs. 1 and 2, as suggested by the Examiner.

In the OA, the Examiner rejected claims 1-4, 6, 16-18, 19, and 21 under 35 U.S.C. § 102(b) as being anticipated by *Taylor*, U.S. Patent No. 5,530,232 issued June 25, 1996. The Examiner also rejected claims 5, 7-15, 20, and 22-31 under 35 U.S.C. § 103(a) as being unpatentable over *Taylor*.

Applicants amend claims 1 and 16, support for which can be found in the specification at, for example, Fig. 6B and page 16, ¶051. Claims 1-31 remain pending in this application. Reconsideration is respectfully requested in light of the following remarks.

### **§ 102(a) Rejections**

The Examiner rejected claims 1-4, 6, 16-18, 19, and 21 under 35 U.S.C. § 102(b) as being anticipated by *Taylor*. In order to properly anticipate Applicants' claimed invention under 35 U.S.C. § 102, each and every element of the claim in issue must be found, either expressly described or under principles of inherency, in a single prior art reference. Furthermore, "[t]he identical invention must be shown in as complete detail

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

as is contained in...the claim.” See M.P.E.P. § 2131 (8<sup>th</sup> Ed., Aug. 2001), quoting *Richardson v. Suzuki Motor Co.*, 868 F.2d 1126, 1236, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989). Finally, “[t]he elements must be arranged as required by the claim.” M.P.E.P. § 2131 (8<sup>th</sup> ed., 2001), p. 2100-69.

Applicants respectfully submit that *Taylor* does not disclose or suggest the claimed combination of elements as recited in amended claim 1. For example, the reference does not disclose or suggest: “displaying to the user a plurality of applications associated with a data target, wherein each of the plurality of data target applications has a plurality of data entry fields” and “selecting one of the plurality of applications associated with the data target based on a second input from the user,” as recited in claim 1.

*Taylor* discloses a multi-application data card that is “capable of substituting for a plurality of existing single-application data cards” (*Taylor* abstract). According to *Taylor*, the multi-application data card includes “at least three memory banks or storage areas” for storing and updating information associated with an authorized holder of the data card and at least two authorized applications (*Taylor* col. 4, lines 49-52). A card reader, which enables the card holder to selected a particular application (*Taylor* col. 4, lines 43-45), is connected via a data link to a data base processing apparatus at a remote location (*Taylor* col. 4, lines 60-64). *Taylor* teaches that a transaction is initiated by inserting the data card into the card reader, followed by a selection of desired applications, such as American Express, Visa, or a particular hotel, oil company, rental company, or airline (*Taylor* Fig. 1, “card record”; Fig. 3, step 47; col. 4, lines 43-45; col. 5, lines 12-24). After a desired application has been selected, the transaction is verified

or authorized, and then a determination is made whether a particular transaction is linked to frequency points (*Taylor* col. 5, lines 25-30). However, neither these portions of *Taylor*, nor any other portion constitutes: "displaying to the user a plurality of applications associated with a data target, wherein each of the plurality of data target applications has a plurality of data entry fields" and "selecting one of the plurality of applications associated with the data target based on a second input from the user," as recited in claim 1.

For at least the foregoing reasons, Applicants submit that claim 1 is not anticipated by *Taylor*. Because amended claim 16 is an independent claim with limitations similar to those of claim 1, Applicants further submit that claim 16 is also not anticipated by *Taylor* for at least the reasons given with respect to claim 1. Applicants respectfully request the Examiner to reconsider and withdraw the rejections of claims 1 and 16 under 35 U.S.C. § 102(b).

The rejection of dependent claims 1-4, 6, 17-19, and 21 are unsupportable for at least the reasons stated above with regard to their respective allowable base claims. Accordingly, Applicants request withdrawal of the rejection under 35 U.S.C. § 102(b) and the timely allowance of claims 1-4, 6, 17-19, and 21.

### **§ 103(a) Rejections**

To establish a prima facie case of obviousness, three basic criteria must be met. First, the prior art reference as modified must teach or suggest all the claim elements. (See M.P.E.P. § 2143.03 (8<sup>th</sup> ed. 2001)). Second, there must be some suggestion or

motivation, either in the reference or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings. (See M.P.E.P. § 2143 (8<sup>th</sup> ed. 2001)). Third a reasonable expectation of success must exist. Moreover, each of these requirement must "be found in the prior art, and not be based on applicant's disclosure." (M.P.E.P. § 2143.03 (8<sup>th</sup> ed. 2001)).

Applicants traverse the rejection of claims 5, 7-15, 20, and 22-31 under 35 U.S.C. § 103(a) because a prima facie case of obviousness has not been established based on *Taylor*. The rejection of dependent claims 5, 7-9, 20, and 22-24 are unsupportable for at least the reasons stated above with regard to their respective allowable base claims 1 and 16, as discussed above. Accordingly, Applicants request withdrawal of the rejection under 35 U.S.C. § 103(a) and the timely allowance of claims 5, 7-9, 20, and 22-24.

With respect to claim 10, the Examiner admitted that *Taylor* "did not explicitly disclose "a method of storing the read data in an output file" if the read data has not been mapped to a data entry field associated with a data target application using a drag-and-drop operation (OA at page 8, line 5). The Examiner then stated, in an apparent Official Notice, that "it is obvious to one having an ordinary skill in the art at the time the applicant's invention to realize that if the read data has not been mapped to a data entry field associated with a data target application using a drag-and-drop operation, storing the read data in an output file" (OA at page 8, lines 5-8).

Applicants agree with the Examiner that *Taylor* does not teach or suggest that "if the read data has not been mapped to a data entry field associated with a data target application using a drag-and-drop operation, storing the read data in an output file," as

recited in claim 10. Furthermore, the Examiner did not fully address the elements recited in claim 10, other than to generally conclude that "it would have been obvious to one of ordinary skill in the art... to modify the system of Taylor to combine with the method of storing the read data to an output file while the read data has not been mapped" (OA at page 8, lines 11-14). As M.P.E.P. § 2144.03(B) makes clear,

there must be some form of evidence in the record to support an assertion of common knowledge ... general conclusions concerning what is "basic knowledge" or "common sense" to one of ordinary skill in the art without specific factual findings and some concrete evidence in the record to support these findings will not support an obviousness rejection. ... The examiner must provide specific factual findings predicated on sound technical and scientific reasoning to support his or her conclusion of common knowledge. The applicant should be presented with the explicit basis on which the examiner regards the matter as subject to official notice and be allowed to challenge the assertion in the next reply after the Office action in which the common knowledge statement was made

(emphasis added, internal citations omitted). Applicants respectfully submit that the Examiner's general conclusions are not sufficient to support a rejection under 35 U.S.C. § 103(a). Applicants request that the Examiner provide documentary evidence, supported with sound technical and scientific reasoning, teaching each and every element of Applicants' dependent claims. For at least these additional reasons, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over *Taylor*. The rejection of dependent claims 11-15 is unsupportable for the reasons stated above with regard to their allowable base claim.

Claims 25 and 31, although of different scope, recites elements similar to elements recited by allowable claim 10. Therefore, Applicants submit that the rejections of claims 25 and 31 are not supported by *Taylor*, for at least the reasons given with

respect to claim 10, and respectfully request that the Examiner reconsider and withdraw the rejection of claims 25 and 31 under 35 U.S.C. § 103(a) as being unpatentable over *Taylor*. The rejection of dependent claims 11-15 and 26-30 are unsupportable for at least the reasons stated above with regard to their respective allowable base claims. Accordingly, Applicants request withdrawal of the rejection under 35 U.S.C. § 103(a) and the timely allowance of claims 11-15 and 26-30.

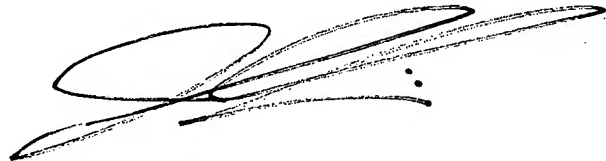
**Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.



Dated: April 27, 2006

By: \_\_\_\_\_

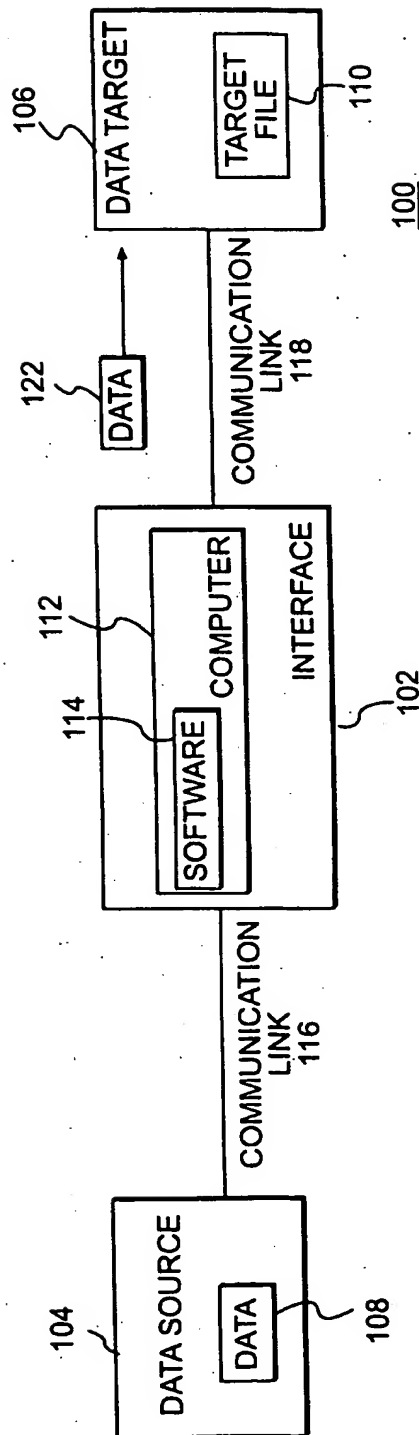
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Reg. No. 55,391

**Attachment:** Replacement Sheets including 2 sheets and 2 figures

**AMENDMENTS TO THE DRAWINGS:**

The attached sheets of drawings include changes to Figs. 1 and 2 by adding notations as requested by the Examiner.

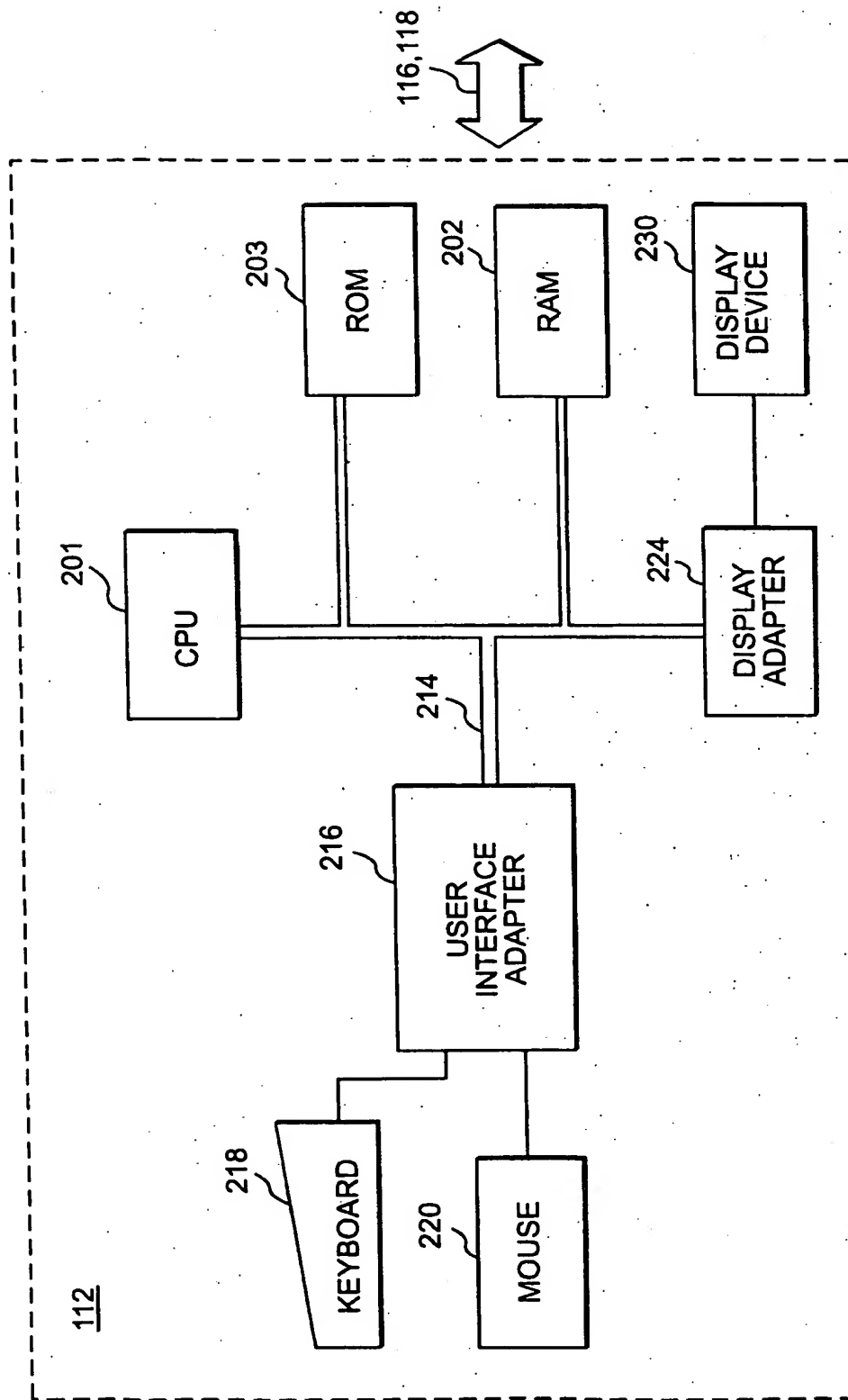
Attachments:      Replacement Sheets Figs. 1 and 2  
                         **Annotated Sheets showing changes**



-- PRIOR ART --

**FIG. 1**





-- PRIOR ART --

**FIG. 2**